

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:19-CR-00145-DGK-9
)	
YADER J. ARITA,)	
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

On June 8, 2021, Defendant was ordered to be committed to the custody of the United States Attorney General or the Attorney General's designated representative to undergo a psychological examination pursuant to 18 U.S.C. § 4241. ECF No. 457. Jessica Micono, Psy. D., prepared a report opining that Defendant was competent to stand trial. ECF No. 547.

A competency hearing was held before Judge Jill A. Morris on October 21, 2021, and Defendant and the Government stipulated that Dr. Micono would testify consistent with her report. On October 25, 2021, Judge Morris entered a Report and Recommendation, recommending Defendant be declared competent to stand trial. ECF No. 554. Neither party filed an objection.

After an independent, de novo review of the record and applicable law, the Court ADOPTS the Report and Recommendation of Magistrate Judge Jill A. Morris in its entirety, and finds that Defendant is competent to stand trial. It is further ORDERED that, pursuant to 18 U.S.C. § 3161(h)(1)(A), the time between June 8, 2021—when Defendant moved for a competency exam—and the date of this order is excluded in computing the time within which trial must commence.

IT IS SO ORDERED.

Date: November 29, 2021

/s/ Greg Kays
GREG KAYS, JUDGE

UNITED STATES DISTRICT COURT